

# Exhibit 17

## **2010 FCC LEXIS 3087**

Federal Communications Commission

May 19, 2010, Released

25 FCC Rcd 5541

### **Reporter**

25 FCC Rcd 5541; 2010 FCC LEXIS 3087

## **DA 10-893**

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STATES THAT HAVE CERTIFIED THAT THEY REGULATE POLE ATTACHMENTS

In re States That Have Certified That They Regulate Pole Attachments

WC Docket No. 10-101

## **Core Terms**

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pole attachment, public notice, certificate, rules and regulations, regulatory authority, methodology, reel

## **Action**

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[\*\*1] PUBLIC NOTICE

## **Opinion**

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[\*5541] The state of Arkansas certifies that it has issued and made effective rules and regulations implementing its regulatory authority over pole attachments, including a specific methodology for such regulation which has been made publicly available in the state.<sup>1</sup> Pursuant to Section 1.1414(b) of the Commission's rules on pole attachments, the Commission gives public notice of receipt of Arkansas's certification.<sup>2</sup> Certification by a state preempts the Commission from accepting pole attachment complaints under Subpart J of Part 1 of the Rules.<sup>3</sup>

Also pursuant to Section 1.1414(b), the Commission compiles and publishes from time to time a listing of states which have provided certification.<sup>4</sup> The following [\*\*2] states have certified that they regulate rates, terms, and conditions for pole attachments, and, in so regulating, have the authority to consider and do consider the interests of subscribers of cable television services, as well as the interests of the consumers of the utility services. Moreover, these states have certified that they have issued and made effective rules and regulations implementing their regulatory authority over pole attachments, including a specific methodology for such regulation which has been made publicly available in the state. The Commission establishes a new docket, WC Docket No. 10-101, to collect and maintain state pole attachments certifications and addenda.

Alaska

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<sup>1</sup> Letter from Paul Suskie, Chairman, Arkansas Public Service Commission, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 10-101 (Oct. 20, 2008).

<sup>2</sup> 47 C.F.R. § 1.1414(b).

<sup>3</sup> 47 U.S.C. § 224(c); 47 C.F.R. §§ 1.1401-1.1418.

<sup>4</sup> Section 1.1402(g) defines the term "state" to mean any state, territory, or possession of the United States, the District of Columbia, or any political subdivision, agency, or instrumentality thereof. 47 C.F.R. § 1.1402(g).

Arkansas

California

Connecticut

Delaware

District of Columbia

Idaho

Illinois

Kentucky [\*\*3]

Louisiana

[\*5542] Maine

Massachusetts

Michigan

New Hampshire

New Jersey

New York

Ohio

Oregon

Utah

Vermont

Washington

This Public Notice supersedes Corrected List of States That Have Certified That They Regulate Pole Attachments, Public Notice, DA No. 08-853, 23 FCC Rcd 4878 (2008).

For further information regarding this proceeding, contact Jonathan Reel, Competition Policy Division, Wireline Competition Bureau, (202) 418-1580 or [jonathan.reel@fcc.gov](mailto:jonathan.reel@fcc.gov).

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